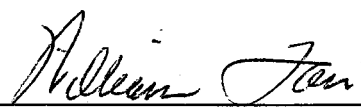


1
2
3 **DECISION AND ORDER**
4 **OF THE**
5 **BOARD OF PSYCHOLOGY**

6
7 **DEPARTMENT OF CONSUMER AFFAIRS**

8
9 The attached Stipulated Settlement and Disciplinary Order in case number W224, is
10 hereby adopted as the Decision and Order of the Board of Psychology, Department of Consumer
11 Affairs. An effective date of October 27, 2002, 2002 has been assigned to this
12 Decision and Order.

13
14 Made this 27th day of September, 2002.

15
16 
17 _____
18 William Tan
19 Vice-President, Board of Psychology
20 Department of Consumer Affairs
21
22
23
24
25

1 BILL LOCKYER, Attorney General
of the State of California
2 ROBERT McKIM BELL, State Bar No. 56332
Deputy Attorney General
3 California Department of Justice
300 So. Spring Street, Suite 1702
4 Los Angeles, CA 90013
Telephone: (213) 897-2556
5 Facsimile: (213) 897-1071

6 Attorneys for Complainant

7 **BEFORE THE**
8 **BOARD OF PSYCHOLOGY**
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. W-224

11 JUAN C. PEREZ, Ph.D.
10000 East Imperial Highway, No. 9207
12 Downey, California 90242

OAH No. L-2001110384

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

13 Psychologist License No. PSY 14184,

14 Respondent.

15
16
17 In the interest of a prompt and speedy settlement of this matter, consistent with
18 the public interest and the responsibility of the Board of Psychology, the parties hereby agree to
19 the following Stipulated Settlement and Disciplinary Order which will be submitted to the Board
20 for approval and adoption as the final disposition of the Accusation.

21 **PARTIES**

22 1. Thomas S. O'Connor (Complainant) is the Executive Officer of the Board
23 of Psychology. He brought this action solely in his official capacity and is represented in this
24 matter by Bill Lockyer, Attorney General of the State of California, by Robert McKim Bell,
25 Deputy Attorney General.

26 2. Respondent Juan C. Perez, Ph.D. (Respondent) is represented in this
27 proceeding by attorney Christopher Zopati of Callahan, McCune & Willis, LLP, 111 Fashion
28 Lane, Tustin, California 92780.

3. On or about March 2, 1995, the Board of Psychology issued Psychologist License No. PSY 14184 to Juan C. Perez, Ph.D. (Respondent). The License was in full force and effect at all times relevant to the charges brought in Accusation No. W-224 and will expire on March 31, 2002, unless renewed.

JURISDICTION

4. Accusation No. W-224 was filed before the Board and is currently pending against Respondent. The Accusation, together with all other statutorily required documents were properly served on Respondent on October 23, 2001. Respondent timely filed his Notice of Defense contesting the Accusation. The Accusation was superceded with an Amended Accusation on January 11, 2002. A copy of the Amended Accusation is attached as Appendix 1 and is incorporated herein by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in the Amended Accusation. He has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; his right to be represented by counsel at his own expense; his right to confront and cross-examine the witnesses against him; his right to present evidence and to testify on his own behalf; his right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; his right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

8. Respondent admits that he is subject to disciplinary action under Business and Professions Code section 2960(a) for conviction of a crime substantially related to his

1 qualifications, functions or duties as a psychologist as alleged in the Second Cause for Discipline
2 recited in paragraphs 12, 13, 14, and 15 of the Amended Accusation in case W-224.

3 9. Respondent agrees that his Psychologist License is subject to discipline
4 and he agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary
5 Order below.

6 **CONTINGENCY**

7 10. This stipulation shall be subject to approval by the Board of Psychology.
8 Respondent understands and agrees that counsel for Complainant and the staff of the Board of
9 Psychology may communicate directly with the Board regarding this stipulation and settlement,
10 without notice to or participation by Respondent or his counsel. By signing the stipulation,
11 Respondent understands and agrees that he may not withdraw his agreement or seek to rescind
12 the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt
13 this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall
14 be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action
15 between the parties, and the Board shall not be disqualified from further action by having
16 considered this matter.

17 11. The parties understand and agree that facsimile copies of this Stipulated
18 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same
19 force and effect as the originals.

20 12. In consideration of the foregoing admissions and stipulations, the parties
21 agree that the Board may, without further notice or formal proceeding, issue and enter the
22 following Disciplinary Order:

23 **DISCIPLINARY ORDER**

24 IT IS HEREBY ORDERED that Psychologist License No. PSY 14184 issued to
25 Respondent Juan C. Perez, Ph.D. is revoked. However, the revocation is stayed and Respondent
26 is placed on probation for five (5) years on the following terms and conditions.

27 1. **INPATIENT ALCOHOL AND DRUG ABUSE TREATMENT** Effective
28 30 days from the date of this Decision, respondent shall enter an inpatient alcohol or other drug

1 abuse recovery program (a minimum of six (6) months duration) or an equivalent program as
2 approved by the Board or its designee. Respondent shall provide the Board or its designee with
3 proof that the approved program was successfully completed. Quitting the program without
4 permission or being expelled for cause shall constitute a violation of probation by respondent.
5 All costs associated with the program shall be paid by respondent.

6 However, if Respondent has already attended such an inpatient or outpatient
7 alcohol or other drug abuse recovery program, as described above, commencing with the current
8 period of sobriety, he shall provide the Board or its designee with proof that the program was
9 successfully completed, and this shall suffice to comply with this term of probation.

10 2. ONGOING TREATMENT PROGRAM Respondent shall participate
11 in on-going treatment such as receiving individual and/or group therapy from a psychologist
12 and/or physician trained in alcohol and drug abuse treatment and shall attend Twelve Step
13 meetings or the equivalent as approved by the Board or its designee at least twice a week during
14 probation. Respondent shall execute a release authorizing his therapist (as approved by the
15 Board) and his physician to provide the Board any information the Board or its designee deems
16 appropriate, including quarterly reports of respondent's therapeutic progress. Respondent shall
17 provide a copy of this Decision to his therapist and to his personal physician. If the therapist
18 believes the Respondent cannot continue to independently render psychological services with
19 safety to the public, he/she shall notify the Board immediately. Respondent shall provide
20 documentation of attendance at Twelve Step meetings or the equivalent on a quarterly basis to
21 the Board or its designee.

22 All expenses associated with the treatment shall be paid by respondent.

23 3. ABSTAIN FROM ALL NON-PRESCRIBED, CONTROLLED DRUGS
24 AND ALCOHOL AND SUBMIT TO TESTS AND SAMPLES Respondent shall abstain
25 completely from the personal use or possession of controlled substances as defined in the
26 California Uniform Controlled Substances Act, and dangerous drugs as defined by Section 4211
27 of the Business and Professions Code, or any drugs requiring a prescription unless respondent
28 provides the Board or its designee with documentation from the treating physician and surgeon

1 that the prescription was legitimately issued and is a necessary part of the treatment of
2 respondent. Respondent shall abstain completely from the use of alcoholic beverages.
3 Respondent shall submit to unannounced, random, biological fluid testing as determined by the
4 Board or its designee to test for the use of either drugs or alcohol. Any confirmed positive
5 finding will be considered a violation of probation, as will any refusal to undergo testing
6 immediately upon being requested to do so. Respondent shall pay all costs associated with such
7 testing. The length of time and frequency of this testing condition will be determined by the
8 Board or its designee.

9 Orders forbidding respondent from personal use or possession of controlled
10 substances or dangerous drugs do not apply to medications lawfully prescribed to respondent for
11 a bona fide illness or condition by a physician and surgeon. Respondent shall provide the Board
12 or its designee with written documentation from the treating physician and surgeon who
13 prescribed medication(s).

14 4. ETHICS COURSE Within 90 days of the effective date of this Decision,
15 respondent shall submit to the Board or its designee for prior approval a course in laws and ethics
16 as they relate to the practice of psychology. Said course must be successfully completed at an
17 accredited educational institution or through a provider approved by the Board's accreditation
18 agency for continuing education credit. Said course must be taken and completed within one
19 year from the effective date of this Decision. The cost associated with the law and ethics course
20 shall be paid by the respondent.

21 5. PROBATION COSTS Respondent shall pay the costs associated with
22 probation monitoring each and every year of probation. These costs are currently set at \$96 per
23 month, but may change over time. Such costs shall be payable to the Board of Psychology at the
24 end of each fiscal year (July 1 - June 30). Failure to pay such costs shall be considered a
25 violation of probation.

26 The filing of bankruptcy by respondent shall not relieve respondent of the
27 responsibility to repay investigation and enforcement costs

28 6. OBEY ALL LAWS Respondent shall obey all federal, state, and local

1 laws and all regulations governing the practice of psychology in California including the ethical
2 guidelines of the American Psychological Association. A full and detailed account of any and all
3 violations of law shall be reported by the respondent to the Board or its designee in writing
4 within seventy-two (72) hours of occurrence.

5 7. QUARTERLY REPORTS Respondent shall submit quarterly
6 declarations under penalty of perjury on forms provided by the Board or its designee, stating
7 whether there has been compliance with all the conditions of probation.

8 8. PROBATION COMPLIANCE Respondent shall comply with the
9 Board's probation program and shall, upon reasonable notice, report to the assigned District
10 Office of the Medical Board of California or other designated probation monitor. Respondent
11 shall contact the assigned probation officer regarding any questions specific to the probation
12 order. Respondent shall not have any unsolicited or unapproved contact with 1) complainants
13 associated with the case; 2) Board members or members of its staff; or 3) persons serving the
14 Board as expert evaluators.

15 9. INTERVIEW WITH BOARD OR ITS DESIGNEE Respondent shall
16 appear in person for interviews with the Board or its designee upon request at various intervals
17 and with reasonable notice.

18 10. CHANGES OF EMPLOYMENT Respondent shall notify the Board in
19 writing, through the assigned probation officer, of any and all changes of employment, location,
20 and address within 30 days of such change.

21 11. TOLLING FOR OUT-OF-STATE PRACTICE, RESIDENCE OR IN-
22 STATE NON-PRACTICE In the event respondent should leave California to reside or to
23 practice outside the State or for any reason should respondent stop practicing psychology in
24 California, respondent shall notify the Board or its designee in writing within ten days of the
25 dates of departure and return or the dates of non-practice within California. Non-practice is
26 defined as any period of time exceeding thirty days in which respondent is not engaging in any
27 activities defined in Sections 2902 and 2903 of the Business and Professions Code. Periods of
28 temporary or permanent residency or practice outside California or of non-practice within

1 California will not apply to the reduction of this probationary period., although the Board may
2 allow respondent to complete certain terms of probation that are not associated with active
3 practice.

4 12. EMPLOYMENT AND SUPERVISION OF TRAINEES If respondent is
5 licensed as a psychologist, he/she shall not employ or supervise or apply to employ or supervise
6 psychological assistants, interns or trainees during the course of this probation. Any such
7 supervisory relationship in existence on the effective date of this probation shall be terminated
8 by respondent and/or the Board.

9 13. FUTURE REGISTRATION OR LICENSURE If respondent is currently
10 registered as a psychological assistant and subsequently obtains other psychological assistant
11 registrations or becomes licensed as a psychologist during the course of this probationary order,
12 respondent agrees that this Decision shall remain in full force and effect until the probationary
13 period is successfully terminated. Future registration or licensure shall not be approved,
14 however, until respondent is currently in compliance with all of the terms and conditions of
15 probation.

16 14. VIOLATION OF PROBATION If respondent violates probation in any
17 respect, the Board may, after giving respondent notice and the opportunity to be heard, revoke
18 probation and carry out the disciplinary order that was stayed. If an Accusation or Petition to
19 Revoke Probation is filed against respondent during probation, the Board shall have continuing
20 jurisdiction until the matter is final, and the period of probation shall be extended until the matter
21 is final. No Petition for Modification or Termination of Probation shall be considered while
22 there is an Accusation or Petition to Revoke Probation pending against respondent.


23 15. COMPLETION OF PROBATION Upon successful completion of
24 probation, respondent's license shall be fully restored.

25 ACCEPTANCE

26
27 I have carefully read the above Stipulated Settlement and Disciplinary Order and
28 have fully discussed it with my attorney, Christopher Zopati. I understand the stipulation and the

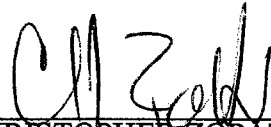
1 effect it will have on my Psychologist License. I enter into this Stipulated Settlement and
2 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
3 Decision and Order of the Board of Psychology.

4 DATED: 3/1/02

5
6 
7 JUAN C. PEREZ, PH.D.
8 Respondent

9 I have read and fully discussed with Respondent Juan C. Perez, Ph.D. the terms
10 and conditions and other matters contained in the above Stipulated Settlement and Disciplinary
11 Order. I approve its form and content.

12 DATED: 3/6/02


13
14 
15 CHRISTOPHER ZOPATI
16 Attorney for Respondent

17 **ENDORSEMENT**

18 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
19 submitted for consideration by the Board of Psychology of the Department of Consumer Affairs.

20
21 DATED: 26 February 2002

22 BILL LOCKYER, Attorney General
23 of the State of California

24 
25 ROBERT MCKIM BELL
26 Deputy Attorney General

27 Attorneys for Complainant

Exhibit A
Amended Accusation No. W-224

1 BILL LOCKYER, Attorney General
of the State of California
2 ROBERT McKIM BELL, State Bar No. 56332
Deputy Attorney General
3 California Department of Justice
300 So. Spring Street, Suite 1702
4 Los Angeles, CA 90013
Telephone: (213) 897-2556
5 Facsimile: (213) 897-1071

CALIFORNIA
BOARD OF PSYCHOLOGY
SACRAMENTO January 11, 2002
BY M. J. J. J. REGISTRAR

6 Attorneys for Complainant

7
8 **BEFORE THE**
BOARD OF PSYCHOLOGY
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. W-224

11 JUAN C. PEREZ, PH.D.,
12 10000 East Imperial Highway, No. G207
Downey, California 90242

OAH No. L-2001110384

AMENDED ACCUSATION

13 Psychologist License No. PSY 14184

14 Respondent.

15
16
17 Complainant alleges:

18 **PARTIES**

19 1. Thomas S. O'Connor ("Complainant") brings this Amended Accusation
20 solely in his official capacity as the Executive Officer of the California Board of Psychology
21 ("Board"). This pleading supercedes and supplants the Accusation filed in this matter on
22 October 23, 2001.

23 2. On or about March 2, 1995, the Board issued Psychologist License
24 Number PSY 14184 to Juan C. Perez, Ph.D. This license was in full force and effect at all times
25 relevant to the charges brought herein and will expire on March 31, 2002, unless renewed.

26 **JURISDICTION**

27 3. This Accusation is brought before the Board under the authority of the
28 following sections of the Business and Professions Code ("Code").

1 4. Section 2960(a) of the Code provides that the Board may discipline a
2 licensee for unprofessional conduct, defined to include conviction of a crime substantially related
3 to the qualifications, functions or duties of a psychologist.

4 5. Section 2960(b) of the Code provides that the Board may discipline a
5 licensee for unprofessional conduct, defined to include use of any controlled substance as defined
6 in Division 10 (commencing with Section 11000) of the Health and Safety Code, or dangerous
7 drug, or any alcoholic beverage to an extent or in a manner dangerous to himself or herself, any
8 other person, or the public, or to an extent that this use impairs his or her ability to perform the
9 work of a psychologist with safety to the public.

10 6. Section 2964.6 of the Code states that an administrative disciplinary
11 decision that imposes terms of probation may include, among other things, a requirement that the
12 licensee who is being placed on probation pay the monetary costs associated with monitoring the
13 probation.

14 7. Section 125.3 of the Code states, in pertinent part, that the Board may
15 request the administrative law judge to direct a licentiate found to have committed a violation or
16 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
17 and enforcement of the case.

18 **FIRST CAUSE FOR DISCIPLINE**

19 (Conviction of a Crime - Long Beach)

20 8. Respondent is subject to disciplinary action under section 2960(a) of the
21 Code for conviction of a crime substantially related to the qualifications, functions or duties of a
22 psychologist. The circumstances are as follows:

23 9. On November 8, 2000, in proceedings entitled, *People of the State of*
24 *California v. Juan Cazares Perez*, in the Municipal Court of Long Beach, County of Los
25 Angeles, Case No. 0LL04403, a misdemeanor complaint was filed alleging that respondent had
26 committed on or about November 6, 2000, in the County of Los Angeles, as Count 1, a violation
27 of Vehicle Code section 23152(A), being under the influence of alcohol and, as Count 2, a
28 violation of Vehicle Code section 23152(B), driving a vehicle with over .08% alcohol in his

1 blood. On or about March 27, 2001, the complaint against respondent was amended to add an
2 allegation of a misdemeanor violation of Vehicle Code section 23103(A), reckless driving on the
3 highway as Count 3. On March 27, 2001, respondent plead *nolo contendere* to, and was
4 convicted of, reckless driving as charged in Count 3. Counts 1 and 2 were dismissed.

5 10. The facts and circumstances surrounding the aforementioned conviction
6 are that on November 6, 2000, at about 8:20 at night, officers of the Long Beach, California,
7 Police Department responded to the scene of a possible hit and run non-injury traffic accident.
8 When the officers arrived, they saw Dr. Perez looking into the driver's door of his car, a black
9 Nissan Maxima. In response to questions, Dr. Perez said that, yes, it was his car and no, he was
10 not hurt. Dr. Perez was having a difficult time standing and keeping his balance. He was slow
11 to respond to officers' commands and he had the smell of alcohol on his breath. The officers
12 asked Dr. Perez repeatedly if he had had anything to drink that evening and he replied that he
13 had not. Dr. Perez was given, but failed, a field sobriety test and was placed under arrest for
14 drunk driving.

15 11. Upon his conviction, imposition of sentence was suspended and
16 respondent was placed on summary probation for three years and required to pay a fine and
17 penalty assessments totaling \$3,424. In addition, he was required to obey all laws and orders of
18 the court.

19 SECOND CAUSE FOR DISCIPLINE

20 (Conviction of a Crime - Orange County)

21 12. Respondent is subject to disciplinary action under section 2960(a) of the
22 Code for conviction of a crime substantially related to the qualifications, functions or duties of a
23 psychologist. The circumstances are as follows:

24 13. On February 22, 2001, in the Orange County Superior Court (Santa Ana)
25 in proceedings entitled, *People of the State of California vs. Juan Cazares Perez*, case number
26 TU00CM12182, the respondent was convicted, upon his plea of guilty, of the crime of driving
27 under the influence of alcohol in violation of section 23152(a) of the California Vehicle Code, a
28 misdemeanor, as charged in Count 1 of the complaint.

1 14. The facts and circumstances surrounding the aforementioned conviction
2 are that on December 6, 2000, shortly after noon, officers of the Tustin, California, Police
3 Department observed Dr. Perez sitting in a stopped car in the number 2 lane of a public street.
4 His car, a black Nissan Maxima, had its flashers on and Dr. Perez was attempting to start the car,
5 even though the engine was already running. The officers observed that Dr. Perez was trying to
6 drive the car, even though the manual parking brake was pulled up. The engine was racing and
7 the brakes smelled strongly of burning. When contacted, Dr. Perez had a fixed gaze and
8 constricted pupils. An officer asked Perez if he was all right, but he just stared in his direction.
9 After repeating himself, Perez told the officer he was all right and that his car had died and would
10 not start. As Dr. Perez spoke, the officer smelled a strong odor of alcoholic beverage coming
11 from his breath, and heard that his speech was slurred. Asking if he had consumed alcohol, Dr.
12 Perez replied that he had had one alcoholic drink and that he was on the medication Prozac.
13 Asked to leave the car to perform field sobriety tests, Dr. Perez stumbled and fell to the ground.
14 He was unable to stand, and had to seat himself on the curb. When again asked to stand in order
15 to perform a field sobriety test, Perez fell onto his face. The field sobriety tests had to be
16 suspended to avoid further injury to Dr. Perez. One of the officers observed that Dr. Perez's car
17 had moderate damage to the right side of the car which appeared to be fresh. He asked Perez
18 about it, but Perez could only reply that he was at a "7-11" store somewhere and struck a pole.
19 He could not relate where the accident occurred, adding that he left after the accident and didn't
20 tell anyone because he was late for a doctor appointment. Dr. Perez was arrested.

21 15. Upon his conviction of this offense, the respondent was placed on
22 informal probation for three years upon the conditions that he: enroll in a first offender program
23 for three months; that for 90 days his driver's license be restricted to driving only to and from
24 employment, during the course of employment, and to and from a treatment program; that he
25 violate no law, obey all rules, orders and regulations of the probation department, court and jail;
26 that he not drive a vehicle with a measurable amount of alcohol in his system; that he submit to
27 chemical tests on demand; that he not drive without a valid California Driver's License in his
28 possession; that he not drive unless having liability insurance; that he cooperate with probation in

1 any program of counseling or treatment; that he reveal his probation terms upon the request of a
2 peace officer; that he use his true name and date of birth at all times; and that he pay a fine and
3 penalty assessments in the amount of \$1,341. Respondent paid this sum with a check, but it was
4 returned for insufficient funds. He thereafter paid the fine and assessments in cash.

5 **THIRD CAUSE FOR DISCIPLINE**

6 (Conviction of a Crime - Los Angeles County)

7 16. Respondent is subject to disciplinary action under section 2960(a) of the
8 Code for conviction of a crime substantially related to the qualifications, functions or duties of a
9 psychologist. The circumstances are as follows:

10 17. On June 4, 2001, in the Los Angeles County Superior Court (Whittier), in
11 proceedings entitled, *People of the State of California vs. Juan Cazares Perez*, case number
12 1WH02602, the respondent was charged with one count of driving with a suspended or revoked
13 license in violation of section 14601.5(a) of the California Vehicle Code and one count of
14 making an unsafe turn, in violation of section 22107 of the Vehicle Code. On June 22, 2001, Dr.
15 Perez was convicted, upon his plea of *nolo contendere*, of the crime of misdemeanor unlicensed
16 driving in violation of section 12500(a) of the California Vehicle Code.

17 18. Upon his conviction of this offense, the sentence was suspended and the
18 respondent was placed on summary probation for one year upon the following terms and
19 conditions, that he: pay a fine and penalty assessments totaling \$506; that he not drive a motor
20 vehicle unless lawfully licensed and insured; that he not commit any criminal offense; and that
21 he obey all laws and orders of the court. Finally, the court ordered that failure to comply with
22 these conditions would result in probation revocation and the issuance of a bench warrant in the
23 amount of \$27,000.

24 **FOURTH CAUSE FOR DISCIPLINE**

25 (Alcohol Abuse)

26 19. Respondent is subject to disciplinary action under section 2960,
27 subdivision (b) of the Code in that he used alcoholic beverages to an extent or in a manner
28 dangerous to himself, any other person, or the public, or to an extent that the use impaired his

1 ability to perform the work of a psychologist with safety to the public. The circumstances are
2 as follows:

3 20. Complainant hereby incorporates by reference the factual allegations of
4 the aforestated causes for discipline.

5 21. In or around 1984, respondent began abusing alcohol, drinking heavily at
6 night and sometimes blacking out. He reported that his alcohol use increased to a quart of vodka
7 per day on weekdays and a two quarts of vodka per day on weekends. Alcohol use began having
8 a deleterious effect on his personal life, including his marriage, and upon his career in
9 psychology.

10 22. In 1999, respondent began to experience a significant problem controlling
11 his drinking and it had an impact on the quality of his work. He was working as a counselor at
12 Long Beach Memorial Hospital.

13 23. On November 6, 2000, respondent was arrested for drunk driving in Long
14 Beach. Respondent later plead *nolo contendere* to reckless driving.

15 24. A month later, on December 6, 2000, respondent was again arrested for
16 drunk driving, this time in Orange County. Respondent later plead guilty to driving under the
17 influence of alcohol.

18 25. On or about December 29, 2000, respondent's supervisor at Long Beach
19 Memorial Hospital sent him home from his job because the supervisor smelled alcohol on
20 respondent's breath.

21 26. In or around January 2001, respondent resigned from his position at Long
22 Beach Memorial Hospital and enrolled in an alcohol treatment program at Kaiser Permanente
23 Hospital for detoxification treatment for three weeks. Respondent had one relapse after leaving
24 the Kaiser treatment program and was re-admitted to the Kaiser outpatient program about a
25 month after he had left. Respondent's current treatment includes outpatient treatment for
26 alcoholism, daily doses of Antabuse administered at Kaiser, and psychotherapy.

27 27. Owing to his abuse of alcohol, Dr. Perez's driver's license was suspended
28 and restricted on numerous occasions.

DECLARATION OF SERVICE BY CERTIFIED MAIL

In the Matter of the Amended Accusation
Against:

Juan C. Perez, Ph.D

No. : W224

I, the undersigned, declare that I am over 18 years of age and not a party to the within cause; my business address is 1422 Howe Avenue, Ste. 22, Sacramento, California 95825. I served a true copy of the attached:

STATEMENT TO RESPONDENT; AMENDED ACCUSATION; GOVERNMENT CODE SECTIONS 11507.5, 11507.6 AND 11507.7; REQUEST FOR DISCOVERY AND DISCIPLINARY GUIDELINES

by mail on each of the following, by placing same in an envelope (or envelopes) addressed (respectively) as follows:

NAME AND ADDRESS

CERT NO.

Juan C. Perez, Ph.D.
10000 East Imperial Hwy., #G207
Downey, CA 90242

7001 2510 0009 0282 5866


Brandt Caudill, Esq.
Callahan, McCune & Willis, LLP
111 Fashion Lane
Tustin, CA 92780

Robert McKim Bell
Deputy Attorney General
300 South Spring St., Ste. 1702
Los Angeles, CA 90013

Each said envelope was then, on January 11, 2002, sealed and deposited in the United States mail at Sacramento, California, the county in which I am employed, as certified mail, with the postage thereon fully prepaid, and return receipt requested.

Executed on, January 11, 2002, at Sacramento, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.


DECLARANT
Mary Laackmann
Enforcement Analyst